

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

TERRY LEON CARR	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	3:06cV547-MHT
STATE OF ALABAMA, et al.,	)	
	)	
Respondents.	)	

ORDER

It is ORDERED that petitioner Terry Leon Carr's motion (Doc. No. 8), which the court construes as a motion for relief from judgment pursuant to Rule 60 of the Federal Rules of Civil Procedure, is granted to the extent that the court's opinion of June 30, 2006 (Doc. No. 6) is corrected to reflect that Carr filed his habeas-corpus case pursuant to 28 U.S.C. § 2254, not pursuant to 28 U.S.C. § 2255. Rule 60(a) confers broad discretion on the court to correct clerical mistakes in judgments, orders or other parts of the record "at any

time of its own initiative or on the motion of any party." Because no appeal of the court's opinion and order in this case has been filed, the court may correct its clerical error without requesting leave of the appellate court. Fed. R. Civ. P. 60(a).

Petitioner Carr's motion is denied to the extent that it requests relief other than correction of the clerical error described above.

DONE, this the 21st day of July, 2006.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE